IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3154 OF 2004

Mohammad Chand Mulani .. Applicant.
Vs.
The Union of India & Anr. .. Respondents.

Mr.A.P.Mundargi for the applicant.
Mr.A.M.Chimalkar APP for the Union of India.

CORAM : D.B.BHOSALE, J.

DATED : 12TH AUGUST, 2004

P.C.:

. Heard Mr.Mundargi, learned counsel for the applicant and Mr.Chimalkar, learned A.P.P. for the respondent.

2. By this application, the applicant has made the following prayer:

> "(a) that in the interests of justice, this Hon'ble Court may kindly be pleased to either delete the remarks made in paragraph 16 quoted above or in the alternative, this Hon'ble Court may kindly be pleased to clarify the above observation made while considering the application for bail of Ranjit Singh Sharma and direct that

Ld.Designated Judge will consider the Petitioner’s case freshly on its own merits and without being influenced by the aforesaid observation contained in paragraph 16 with any further clarification as may be found necessary".

3. Mr.Mundargi, learned counsel for the applicant submits that the applicant would be satisfied if the trial court is directed to decide the applicant’s application for discharge on its own merits. Mr.Chimalkar, learned A.P.P. has no objection for such directions. Considering the submissions of the learned counsel appearing for the parties I am satisfied that the following order shall meet the ends of justice:

. The learned Designated Judge shall consider the petitioner’s application for discharge on its own merits.

. The application is disposed of.

(D.B.Bhosale, J.)